

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

**IN RE: TAASERA LICENSING LLC,
PATENT LITIGATION**

**THIS DOCUMENT RELATES TO ALL
CASES**

Civil Action No. 2:22-md-03042-JRG

**JOINT MOTION FOR ENTRY OF ORDER FOCUSING PATENT CLAIMS AND
PRIOR ART TO REDUCE COSTS**

Plaintiff Taasera Licensing LLC (“Plaintiff”) and Defendants Check Point Software Technologies Ltd. (“Check Point”), Trend Micro Inc. (“Trend Micro”), Fortinet, Inc. (“Fortinet”), Musarubra US LLC, d/b/a Trellix (“Trellix”), Palo Alto Networks, Inc. (“PAN”) and CrowdStrike, Inc. and CrowdStrike Holdings, Inc. (“CrowdStrike”) (collectively “Defendants”) respectfully request that the Court enter the attached proposed Order Focusing Patent Claims and Prior Art to Reduce Costs. The parties’ proposed Order largely reflects the Court’s Model Order Focusing Patent Claims and Prior Art, with agreed modifications to the default schedule for service of Preliminary and Final Elections of Asserted Claims and Asserted Prior Art, as well as agreed changes to the default limits on asserted claims and asserted prior art in the parties’ Preliminary Elections.

The parties agree to and jointly request that the following schedule and limits on asserted claims and asserted prior art be entered:

Deadline	Event	Limits ¹
September 15, 2023	Plaintiff's Preliminary Election of Asserted Claims	No more than 10 claims per patent, no more than 45 total claims.
September 29, 2023	Defendants' Preliminary Election of Asserted Prior Art	No more than 12 references per patent, no more than 60 total references.
October 23, 2023	Plaintiff's Final Election of Asserted Claims	No more than 5 claims per patent, no more than 16 total claims. (Model Order limit)
November 13, 2023	Defendants' Final Election of Prior Art	No more than 6 references per patent, no more than 20 total references. (Model Order limit)

¹ The parties' agreed limits are on a per-defendant basis.

Dated: September 8, 2023

Respectfully submitted,

/s/ Alfred R. Fabricant (with permission)

Alfred R. Fabricant
NY Bar No. 2219392
Email: ffabricant@fabricantllp.com
Peter Lambrianakos
NY Bar No. 2894392
Email: plambrianakos@fabricantllp.com
Vincent J. Rubino, III
NY Bar No. 4557435
Email: vrubino@fabricantllp.com
Joseph M. Mercadante
NY Bar No. 4784930
Email: jmercadante@fabricantllp.com
FABRICANT LLP
411 Theodore Fremd Avenue,
Suite 206 South
Rye, New York 10580
Telephone: (212) 257-5797
Facsimile: (212) 257-5796

Justin Kurt Truelove
Texas Bar No. 24013653
Email: kurt@truelovelawfirm.com
TRUELOVE LAW FIRM, PLLC
100 West Houston Street
Marshall, Texas 75670
Telephone: (903) 938-8321
Facsimile: (903) 215-8510

***ATTORNEYS FOR PLAINTIFF
TAASERA LICENSING LLC***

/s/Eric H. Findlay (with permission)

Eric H. Findlay
Email: efindlay@findlaycraft.com
State Bar No. 00789886
Debra E. Gunter
Email: dgunter@findlaycraft.com
State Bar No. 24012752
FINDLAY CRAFT, P.C.
102 North College Avenue, Suite 900
Tyler, Texas 75702
Telephone: (903) 534-1100
Facsimile: (903)-534-1137

Clement S. Roberts
Email: croberts@orrick.com
CA State Bar No. 209203
Sarah K. Mullins
Email: sarahmullins@orrick.com
CA State Bar No. 324558
**ORRICK, HERRINGTON &
SUTCLIFFE LLP**
405 Howard Street
San Francisco, CA 94105
Telephone: (415) 773-5700
Facsimile: (415) 773-5759

Evan D. Brewer (Admitted Pro Hac Vice)
Email: ebrewer@orrick.com
**ORRICK, HERRINGTON &
SUTCLIFFE LLP**
701 5th Avenue, Suite 5600
Seattle, WA 98104-7097
Telephone: (206) 839-4300

Alyssa Caridis
Email: acaridis@orrick.com
Jake O'Neal
Email: jake.oneal@orrick.com
**ORRICK, HERRINGTON &
SUTCLIFFE LLP**
355 South Grand Avenue, Suite 2700
Los Angeles, CA 90071
Telephone: (213) 629-2020

***ATTORNEYS FOR CHECK POINT
SOFTWARE TECHNOLOGIES LTD.***

/s/ Holly Engelmann (with permission)
Andrew Thompson ("Tom") Gorham
State Bar No. 24012715
Email: tom@gillamsmithlaw.com
Melissa R. Smith
State Bar No. 07921800
Email: melissa@gillamsmithlaw.com
GILLAM & SMITH, LLP
303 S. Washington Avenue
Marshall, Texas 75670
Telephone: (903) 934-8450
Facsimile: (903) 934-9257

Holly Engelmann
State Bar No. 24040865
Email: HEngelmann@duanemorris.com
DUANE MORRIS LLP
100 Crescent Court, Suite 1200
Dallas, Texas 75201
Telephone: (214) 257-7200
Fax: (214) 257-7201

Brianna M. Vinci
Email: bvinci@duanemorris.com
DUANE MORRIS LLP
30 S 17th Street
Philadelphia, PA 19103
Email: bvinci@duanemorris.com
Telephone: (215) 979-1198

Daryl Stuart Bartow
Email: DSBartow@duanemorris.com
DUANE MORRIS LLP
4300 Bohannon Drive, Suite 230
Menlo Park, CA 94025
Telephone (650) 687-8443
Gilbert Andrew Greene
Email: BGreene@duanemorris.com
DUANE MORRIS LLP
7500 Rialto Boulevard Building 1, Suite 230
Austin, TX 78735
Telephone: (512) 277-2246
Fax: (512) 277-2301

William Andrew Liddell
Email: WALiddell@duanemorris.com
DUANE MORRIS LLP
900 S. Capital of
Texas Highway, Suite 300
Austin, TX 78746
Telephone: (512) 277-2272
Fax: (512) 227-2301

***ATTORNEYS FOR TREND MICRO
INCORPORATED***

/s/ Irene I. Yang (with permission)

Irene I. Yang
Email: irene.yang@sidley.com
Michael J. Bettinger
Email: mbettinger@sidley.com
SIDLEY AUSTIN LLP
555 California Street, Suite 2000
San Francisco, CA 94104
Telephone: (415) 772-1200
Facsimile: (415) 772-7400

Andrew T. Langford
Email: alangford@sidley.com
Eric B. Fountain
Email: efountain@sidley.com
SIDLEY AUSTIN LLP
2021 McKinney Avenue, Suite 2000
Dallas, Texas 75201
Telephone: (214) 981-3400
Facsimile: (214) 981-3400

G. Blake Thompson
State Bar No. 24042033
Blake@TheMannFirm.com
J. Mark Mann
State Bar No. 12926150
Mark@TheMannFirm.com
MANN | TINDEL | THOMPSON
201 E. Howard Street
Henderson, Texas 75654
Telephone: (903) 657-8540
Facsimile: (903) 657-6003

***ATTORNEYS FOR CROWDSTRIKE,
INC. and CROWDSTRIKE HOLDINGS,
INC.***

/s/ Alice E. Snedeker (with permission)

Andrew Thompson (“Tom”) Gorham
State Bar No. 24012715
Email: tom@gillamsmithlaw.com
Melissa R. Smith
State Bar No. 07921800
Email: melissa@gillamsmithlaw.com
GILLAM & SMITH, LLP
303 S. Washington Avenue

Marshall, Texas 75670
Telephone: (903) 934-8450
Facsimile: (903) 934-9257

Matthew C. Gaudet
GA Bar No. 287789
Email: mcgaudet@duanemorris.com
Alice E. Snedeker
GA Bar No. 151066
Email: aesnedeker@duanemorris.com
David C. Dotson
GA Bar No. 138040
Email dcdotson@duanemorris.com
DUANE MORRIS LLP
1075 Peachtree Street, NE, Suite 2000
Atlanta, GA 30309-3929
Telephone: (404) 253-6902
Fax:(404) 253-6901

Holly Engelmann
State Bar No. 24040865
Email: HEngelmann@duanemorris.com
DUANE MORRIS LLP
100 Crescent Court, Suite 1200
Dallas, Texas 75201
Telephone: (214) 257-7200
Fax: (214) 257-7201

Christopher J. Tyson
VA Bar No. 81553
Email: cjtyson@duanemorris.com
DUANE MORRIS LLP
505 9th Street, NW, Suite 1000
Washington, D.C. 20004-2166
Telephone: (202)-776-7800
Fax: (202) 776-7801
Irfan Hassam-Malani
IL Bar No. 6339087
Email: imalani@duanemorris.com
DUANE MORRIS LLP
190 S. LaSalle Street, Suite 3700
Chicago, IL 60603
Telephone: (312) 499-6700
Fax: (312) 27-2999

ATTORNEYS FOR FORTINET INC.

/s/ William T. Nilsson
Nathaniel St. Clair, II
State Bar No. 24071564
Email: nstclair@jw.com
Blake T. Dietrich
State Bar No. 24087420
Email: bdietrich@jw.com
William T. Nilsson
State Bar No. 24123350
Email: wnilsson@jw.com
JACKSON WALKER LLP
2323 Ross Avenue, Suite 600
Dallas, Texas 75201
Telephone: (214) 953-5948
Facsimile: (214) 661-6848

***ATTORNEYS FOR MUSARUBRA US
LLC, d/b/a TRELLIX***

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on September 8, 2023, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ William T. Nilsson
William T. Nilsson

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that Counsel for Plaintiff and Counsel for Defendant met and conferred per Local Rule CV-7(h) and jointly agree to the relief requested in this Motion.

/s/ William T. Nilsson
William T. Nilsson